

REVISIONS:
Item 2, deferred to August 15th
Additions: Items 8C, D & E-Street Closures for Public Works
Item 12 pulled per Chris Carrier

FINAL AGENDA CITY COUNCIL

CITY OF WICHITA
KANSAS

City Council Meeting
9:00 A.M., August 1, 2006

City Council Chambers
455 North Main

ORDER OF BUSINESS

- Call to Order
- Invocation
- Pledge of Allegiance
- Approve the minutes of the July 25, 2006 regular meeting

AWARDS AND PROCLAMATIONS

- **Proclamations:**
 - Clown Week
 - Dane Saksa Day
- **Recognition of Carole Fousset.**

PUBLIC AGENDA

1. **Fred Marrs-WSU Mill Levy and Resolution that was adopted July 11, 2006.**
2. **Frank Chappell-Future treatment of City Councils and citizens by this Council.**

(Deferred to August 15th per Mr. Chappell)

CONSENT AGENDA

3. Report of the Board of Bids and Contracts Dated July 31, 2006.

RECOMMENDED ACTION: Receive and file report; approve Contracts;
authorize necessary signatures.

4. Applications for Licenses to Retail Cereal Malt Beverages:

<u>Renewal</u>	<u>2006</u>	<u>(Consumption on Premises)</u>
Kevin Raven	Taco Tico*	460 North West Street
Kevin Raven	Taco Tico*	3131 North Rock Road
<u>Renewal</u>	<u>2006</u>	<u>(Consumption off Premises)</u>
Loan H. Le	KC Gas and Groceries No. 1	1102 West Maple
<u>New Establishment</u>	<u>2006</u>	<u>(Consumption on Premises)</u>
Nelson a. Chamacua	El Bahia	2855 South Hydraulic

*General/Restaurant - 50% or more of gross receipts derived from sale of food.

RECOMMENDED ACTION: Approve licenses subject to Staff review and
approval.

5. Preliminary Estimates:

- a) Wilson Estates Court from the north line of Wilson Estates Parkway to and including the cul-de-sac serving Lots 1 through 12, Block 1 to serve Legacy Park Wilson Estates 3rd Addition - south of 21st Street, west of Webb Road. (472-84404/766102/490119) Traffic to be maintained using flagpersons and barricades. (District II) - \$321,000.
- b) Storm Water Drain #263 to serve Fox Ridge Addition - north of 29th Street North, west of Tyler Road. (468-83997/751424/485315) Traffic to be maintained using flagpersons and barricades. (District V) - \$260,000.
- c) Lateral 3, Main 6 (Part D) Northwest Interceptor Sewer to serve Fox Ridge Addition, Phase 9 north of 29th Street North, east of Maize Road - (468-84202/744189/480877). Does not affect existing traffic. (District V) - \$298,000.
- d) Water Distribution System to serve Fox Ridge Addition - north of 29th Street North, east of Maize Road. (448-90204/735326/470997). (District V) - \$128,000.

RECOMMENDED ACTION: Receive and file.

6. Petition for Public Improvements:

- a) Construct Sanitary Sewer Improvements in Emerald Bay Estates Addition, west of West Street, north of 21st Street. (District V)

RECOMMENDED ACTION: Approve Petitions; adopt Resolutions.

7. Deeds and Easements:

- a) Drainage Easement dated June 26th, 2006 from Kelley & Coleman, In., a Kansas Corporation over a tract of land lying over portions of Lots 3 and 1, Block A, Steve Kelley 5th Addition, Wichita, Sedgwick County, Kansas, (OCA# 607861). No Cost to City.
- b) Waterline Easement dated June 6th, 2006 from Reflection Ridge Retirement Community, LLC over a tract of land lying in Lot 1, Block 1, Reflection Ridge West 2nd Addition to Wichita, Sedgwick County, Kansas (OCA# 607861). No Cost to City.
- c) Drainage Easement dated June 6th, 2006 from Reflection Ridge Retirement Community, LLC over a tract of land lying in Lot 1, Block 1, Reflection Ridge West 2nd Addition to, Wichita, Sedgwick County, Kansas, (OCA# 607861). No Cost to City.
- d) Utility Easement dated June 6, 2006 from Kenneth and Maureen Kimball, over a tract of land lying in Lot 7, Block 2, Rainbow Lakes West Addition to Sedgwick County, Kansas, (OCA# 130161). No Cost to City
- e) Utility Easement dated July 1, 2006 from Rene Martinez, over a tract of land in Lot 3, Block 2, Rainbow Lakes West Addition to Sedgwick County, Kansas, and (OCA # 130161). No Cost to City

RECOMMENDED ACTION: Accept documents.

8. Consideration of Street Closures/Uses.

- a) Wichita Flight Festival, August 24, 25 and 26, 2006, Jabara Airport
(3500 block of Webb Road including the intersection of 43rd Street North and Webb Road)
- b) 2006 Wagonmasters Downtown Chili Cookoff, September 30, 2006, 6:00 a.m. to 6:00 p.m.
(500 & 600 block of East Douglas, Emporia to Viaduct Bridge; 100 block of North St. Francis, 100 block of South St. Francis)

RECOMMENDED ACTION: Approve the requests subject to 1) hiring off-duty certified law enforcement officers as required; 2) obtaining barricades to close the street in accordance with requirements of Police, Fire and Public Works Department; and 3) Insurance on file with the Community Event Coordinator.

- c) *Street Closure: 151st Street from Maple to Moscelyn. (District V)*
- d) *Street Closure: Streets crossing the UPRR in south Wichita. (Districts I & III)*
- e) *Street Closure: Hydraulic from 37th Street North to 1/2 mile north. (Districts I & VI)*

RECOMMENDED ACTION: Approve the street closures.

9. Agreements/Contracts:

- a) City of Maize for 37th Street North Improvement between Tyler and Ridge. (District V)
- b) City of Maize for an asphalt overlay on 37th Street North between Maize and Tyler. (District V)
- c) Contract for Pre-Sentencing Evaluation Reports.
- d) Contract for Wichita Intervention Program Instructor.
- e) 2006/2007 Consolidated Plan Contracts.
- f) Enterprise Agreement for Microsoft Office System.

RECOMMENDED ACTION: Approve Agreements/Contracts; authorize the necessary signatures.

10. Design Services Agreements:

- a) Brighton Courts Addition, south of 21st Street west of Webb. (District II)
- b) Fox Ridge Addition, north of 29th Street North, west of Tyler. (District V)

RECOMMENDED ACTION: Approve Agreements/Contracts; authorize necessary signatures.

11. Property Acquisitions:

- a) Partial Acquisition of land for right-of-way at 7817 West 37th Street North. (District V)
- b) Acquisition of 3911 East Kinkaid for the Dry Creek Basin Project. (District III)

RECOMMENDED ACTION: Approve budgets and Contracts; authorize necessary signatures.

(Item 12)

12. Landfill Gas System Relocation for Phase II of C&D Filling. (District VI)

(Pulled per Chris Carrier)

13. Operating Agreement Extension-Herzog Environmental, Inc. (District VI)

RECOMMENDED ACTION: Approve the five-year extension with Herzog Environmental, Inc., to operate the Brooks C&D Landfill.

14. Abengoa Bioenergy of Kansas Non-Potable Water Supply Line/Design-Build.

RECOMMENDED ACTION: Approve the project as a design-build; authorize Staff to proceed with Request for Proposals and authorize the necessary signatures.

15. Second Reading Ordinance (first read July 25, 2006).

ZON2005-00058 - generally located west of Oliver Avenue at the northeast corner of Central and Crestway Avenues. (District I)

RECOMMENDED ACTION: Place the Ordinance on first reading.

UNFINISHED BUSINESS

16. Continuance of Public Hearing on the Establishment of a Redevelopment District, Tax Increment Financing for the Douglas and Hillside Redevelopment Project. (District II)
(Continued from July 11, 2006)

RECOMMENDED ACTION: Close the Public Hearing and either; 1) place the ordinance establishing a redevelopment district for the Douglas and Hillside area on first reading, or 2) deny the request to establish the redevelopment district.

17. Contract-MidAmerica Minority Business Development Council.
(Deferred July 11, 2006)

RECOMMENDED ACTION: Approve the contract and authorize the Mayor to sign.

18. Petition to pave Governor and Osie Circle south of Harry. (District III)
(Deferred July 11, 2006)

RECOMMENDED ACTION: Approve the Petition, authorize the Mayor to sign the petition on behalf of the City of Wichita; adopt the Resolution and authorize the necessary signatures.

19. Wichita Art Museum Improvements. (District VI)
(Continued November 15, 2005)

RECOMMENDED ACTION: Approve the Contract Amendment; the use of the CIP Planned Savings Project and authorize the necessary signatures.

20. Resolution of the Governing Body of the City of Wichita, supporting Wichita State University, The Kansas Board of Regents and the University President, regarding whether the University should have a football program.
(Continued from July 11, 2006)

RECOMMENDED ACTION: Adopt the resolution and authorize the necessary signatures.

21. Ralph Wulz Riverside Tennis Center Improvements. (District VI)

RECOMMENDED ACTION: Authorize initiation of the project; adopt the bonding resolution and authorize the necessary signatures.

22. Management Services for Wichita Ice Center. (District IV)

RECOMMENDED ACTION: Approve the contract and authorize the necessary signatures.

23. CUP2006-24-Associated with ZON2006-25-Create DP-299 Northgate Commercial Park Community Unit Plan; zone change to Limited Commercial. Generally located northeast of the intersection of Meridian and 53rd Street North. (District VI)
(Deferred July 18, 2006)

RECOMMENDED ACTION: 1) Adopt the findings of the MAPC and approve the zone change subject to platting within one year and approve the CUP; instruct the Planning Department to forward the ordinance for first reading when the plat is forwarded to City Council; or
2) Return the application to the MAPC for reconsideration.

NEW BUSINESS

(9:30 a.m. or soon thereafter)

24. Repair or Removal of Dangerous and Unsafe Structures. (District I)

On June 20, 2006 a report was submitted with respect to the dangerous and unsafe conditions on the properties below.

<u>Property Address:</u>	<u>Council District:</u>
a. 1255 North Poplar	I
b. 1258 North Green	I
c. 1718 North Green	I
d. 2145 East Shadybrook	I
e. 1626 North Oliver	I

RECOMMENDED ACTION: Close the public hearing, adopt the resolutions declaring the buildings dangerous and unsafe structures, and accept the BCSA recommended action to proceed with condemnation allowing 10 days to start demolition and 10 days to complete removal of the structures. Any extensions of time granted to repair the structures would be contingent on the following: (1) All taxes have been paid to date, as of August 1, 2006; (2) the structures have been secured as of August 1, 2006 and will continue to be kept secured; and (3) the premises are mowed and free of debris as of August 1, 2006 and will be so maintained during renovation.

25. Public Comment on the 2007 Annual Operating Budget.

The proposed 2007 annual operating budget is \$485,102,402, including all Tax Increment Financing (TIF) Funds and the Self-Supporting Municipal Improvement District (SSMID) Fund.

RECOMMENDED ACTION: Hold a public hearing and receive public comment.

26. Administrative Traffic Court.

The Administrative Traffic Court was established in 1997 with the purpose of creating an informal "citizens' court" and to decrease police overtime for court appearances. This Court has the authority to hear cases and accept pleas for certain traffic violations.

RECOMMENDED ACTION: Place the charter ordinance and the regular ordinance on first reading and authorize the necessary signatures.

27. 2006 Street Rehabilitation Program. (District V)

The 2005-2014 Capital Improvement Program includes ongoing funding to rehabilitate major streets.

RECOMMENDED ACTION: Approve the project; place the ordinance on first reading and authorize the necessary signatures.

28. Improvement to the intersection of Pawnee and McLean. (Districts III & IV)

On October 18, 2005, the City Council approved a project to improve the intersection of Pawnee and McLean. An amending ordinance has been prepared to revise the project budget.

RECOMMENDED ACTION: Approve the revised budget; place the amending ordinance on first reading and authorize the signing of State/Federal agreements as required.

29. Façade Improvement Program. (Districts I, III, IV & VI)

On March 21, 2006, as part of approving two façade improvement projects, the City Council asked that the Façade Program be returned on a future agenda to consider expanding the program boundaries and providing additional funding.

RECOMMENDED ACTION: Approve the revised program regulations; expand the activity areas to include the Downtown Self Supporting Municipal Improvement District and commercial corridors within the neighborhood planning areas; and approve additional funding in the amount of \$411,000.

PLANNING AGENDA

NOTICE: Public hearing on planning items is conducted by the MAPC under provisions of State law. Adopted policy is that additional hearing on zoning applications will not be conducted by the City Council unless a statement alleging (1) unfair hearing before the MAPC, or (2) alleging new facts or evidence has been filed with the City Clerk by 5p.m. on the Wednesday preceding this meeting. The Council will determine from the written statement whether to return the matter to the MAPC for rehearing.

* Consent Items

30. DR2005-29-Dunbar Theater Redevelopment Feasibility Study. (District I)

RECOMMENDED ACTION: Receive and file the report.

31. *SUB2006-42-Plat of Waldrop Woods Addition, located on the south side of 77th Street North and west of Oliver. (County)

RECOMMENDED ACTION: Approve the plat and authorize the necessary signatures.

AIRPORT AGENDA

NOTICE: The City Council is meeting as the governing body of the Airport for consideration and action on items on this Agenda, pursuant to State law and City ordinance. The meeting of the Authority is deemed called to order at the start of this Agenda and adjourned at the conclusion.

*Consent items

32. *Sublease Agreement between Koch Business Holdings, LLC and Eaglejet Aviation for use of a portion of Hangar 16 on Wichita Mid-Continent Airport.

RECOMMENDED ACTION: Approve the sublease agreement and authorize the necessary signatures.

33. *Supplemental Agreement-Cessna Aircraft Company, Field Use Fee.

RECOMMENDED ACTION: Approve the Supplemental Agreement and authorize the necessary signatures.

34. *ExpressJet Airlines d/b/a Continental Express, Supplemental Agreement No. 5.

RECOMMENDED ACTION: Approve the Supplemental Agreement and authorize the necessary signatures.

CITY COUNCIL

35. Board Appointments.

RECOMMENDED ACTION: Make the appointments.

Adjournment

Workshop to follow